UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

DOCKET NO. 1:15-cv-00292-MOC-DLH

CATHERINE SCHEPIS,)
Plaintiff,)
Vs.)) ORDER
TANNER COMPANIES LLC,)
Defendant.)

THIS MATTER is before the court on Plaintiff's Motion for Summary Judgment (#10), which has been fully briefed and is ripe for review. The court notes that Plaintiff's Reply (#15) indicates that Plaintiff intends to withdraw her North Carolina Wage and Hour Claim (Count II), but Plaintiff has made no such formal statement in the record. In fact, Plaintiff appears to improperly place the burden of communicating the withdrawal of her claim on Defendant. Having considered the motion and reviewed the pleadings, the court finds that oral argument would aid in the disposition of this case, and that Plaintiff must clarify the claims for which she seeks summary judgment. The court therefore enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that the Clerk of Court calendar Plaintiff's Motion for Summary Judgment (#10) for oral argument on the next available Asheville civil motions day, blocking out one hour.

IT IS FURTHER ORDERED that if Plaintiff wishes to withdraw any claim in this action, she must file a Notice of Withdrawal so stating on the record within fourteen (14) days of this Order.

Signed: March 25, 2016

Max O. Cogburn Jr United States District Judge